



City of Seattle

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Gregory J. Nickels, Mayor  
**Department of Planning and Development**  
D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR OF  
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 2503536  
**Applicant Name:** Don Thomas  
**Address of Proposal:** 969- 22<sup>nd</sup> Avenue

**SUMMARY OF PROPOSED ACTION**

Master Use Permit to subdivide one parcel into two parcels of land. Proposed parcel sizes are: A) 3,810 square feet and B) 3,810 square feet. Existing structures are to remain.

The following approval is required:

**Short Subdivision** - to subdivide one existing parcel into two parcels.  
(Chapter 23.24, (23.24.046) Seattle Municipal Code).

**SEPA DETERMINATION:** ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS  
☐ DNS with conditions  
☐ DNS involving non-exempt grading or demolition or involving  
another agency with jurisdiction

**BACKGROUND DATA**

**Site & Area Description**

The 7,620 square foot project site is located in a single-family residential zone with a minimum lot size of 5,000 square feet (SF 5000). The site is located in the Central area of Seattle on 22<sup>nd</sup> Avenue between East Union Street and East Marion Street. The site has sixty feet of Street frontage on 22<sup>nd</sup> Avenue and is paved with sidewalks, curbs and gutters. There is an existing duplex and garage on proposed Parcel B, which are to remain. The duplex and garage were constructed in 1977 by permit, number 573903. The existing structure on proposed Parcel A is to be removed. A new Single-family residence is proposed for proposed Parcel A. Vehicle access to the site is from 22<sup>nd</sup> Avenue. The lot is rectangular in shape and is 127-feet deep. Most surrounding properties are also zoned SF 5000. Directly across the street from the site and to the north, at the end of the block that the subject site is located on and along E. Union is zoned Neighborhood Commercial (NC2/40'). Along E. Union to the northwest is also Neighborhood Commercial Two with a 30-foot height limit (NC2/30'). Development in the area consists of some commercial uses and a variety of one and two-story single-family houses of varying age and architectural style on a variety of lot sizes, consistent with the zoning designations.

### Proposal

The proposal is to subdivide one parcel into two parcels of land. Proposed parcel sizes are indicated in the summary above. Both parcels will have direct access from 22<sup>nd</sup> Avenue. There is an existing duplex and garage on proposed Parcel B, which are to remain. The existing structure on proposed Parcel A is to be removed. A new Single-family residence is proposed for proposed Parcel A.

### Public Comment

No written comments were received during the public comment period, which ended July 20, 2005.

### **ANALYSIS - SHORT SUBDIVISION**

Pursuant to SMC 23.24.040, no short subdivision shall be approved unless all of the following facts and conditions are found to exist. The findings which follow are based upon information provided by the applicant; review of access, drainage and zoning within the Department of Planning and Development (DPD); review from Seattle Public Utilities, Seattle Fire Department and Seattle City Light; and, review by the Land Use Planner.

#### *1. Conformance to the applicable Land Use Code provisions;*

The subject property is zoned for single-family residential with a minimum lot size of 5,000 square feet. The allowed use in a single-family zone is one dwelling unit per lot, with accessory dwelling units meeting the provisions of SMC 23.44.041 and multiple single-family dwelling units on a single-family lot meeting the provisions of SMC 23.24.046. Maximum lot coverage is 35% or 1,750 sq ft whichever is greater or as modified by SMC 23.24.046. Front yard setbacks are an average of the neighboring adjacent lots, or twenty (20) feet, whichever is less. The minimum side yard setbacks are five (5) feet, except as modified by 23.24.046-B5. Minimum rear yard setbacks are twenty-five (25) feet or if lot depth is less than one-hundred-twenty five feet (125'), 20% of lot depth, or as modified by 23.24.046-B5.

This short subdivision was submitted on the basis of application of the 75% - 80% rule pursuant to SMC 23.44.010.B.1.b. By subdivision, lots in a single family zone may be created which are "[a]t least seventy-five (75) percent of the minimum required lot area and [are] at least eighty (80) percent of the mean lot area of the lots on the same block face within which the lot will be located and within the same zone". Seventy-five (75) percent of the minimum lot size of the SF 5000 zone is 3,750 square feet. Eighty percent of the mean lot size of the lots on the west side of the subject block face of 22<sup>nd</sup> Avenue, is 3,664.7 square feet, according to information submitted in the application. The proposed lot areas of Lots A and B are each 3,810 square feet. Both proposed lots are greater than eighty percent of the mean lot area of the lot on the same block face (3,664.7 sq. ft.) and greater than seventy-five (75) percent of the minimum required lot area (3,750 sq. ft.). Thus, the proposed lot configuration meets the exception to the minimum lot area as contained in SMC 23.44.010.B.1.b.

The proposed Lot “B” exceeds the maximum allowed lot coverage for single-family zoning. Maximum lot coverage is 35% or 1,750 sq ft whichever is greater or as modified by SMC 23.24.046. This short plat will be conditioned to remove the shed at the west property line. The removal of the shed will bring the existing lot coverage under the 1750 square feet allowed and therefore, conform to the applicable Land Use provisions.

The lots created by this proposed division of land will conform to all applicable development standards of the SF 5000 zoning designation. The proposed parcels provide adequate buildable area to meet applicable setbacks, lot coverage requirements, and other Land Use Code development standards.

2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*

Each of the proposed parcels will have adequate access for vehicles, utilities and fire protection from 22<sup>nd</sup> Avenue.

The Seattle Fire Department has no objection to the proposed short plat. All private utilities are available in this area.

Seattle City Light does not require property rights for this short plat. This short plat provides adequate utilities, and fire protection.

3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*

**Sanitary Sewer:** The existing house located upon proposed Parcel B is connected by means of a single sidesewer to 8-inch public combined sewer (PS) located in 22<sup>nd</sup> Av. There is no record of a sewer connection from the existing building located upon proposed Parcel A.

**Drainage:** The PS is the appropriate point for stormwater discharge.

Seattle Public Utilities reviewed this short plat application and approved a Water Availability Certificate, No. 05-0949 on June 28<sup>th</sup>, 2005. All conditions on the certificate must be met prior to receiving water service.

4. *Whether the public use and interests are served by permitting the proposed division of land;*

The proposed short plat meets the minimum provisions of the Seattle Land Use Code. The proposal meets all applicable criteria for approval of a short plat as discussed in this analysis and decision. The public use and interests are served by permitting the proposed division of land.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*

This site is not located in any environmentally critical area as defined in SMC 25.09.240. There are no environmentally critical areas mapped or otherwise observed on the site.

6. *Is designed to maximize the retention of existing trees;*

No trees are expected to be removed as a result of this short plat. At the time of this decision, no related building permit has been applied for. Future construction will be subject to the provisions of SMC 23.44.008, 25.11.050 and 25.11.060, which sets forth tree planting and exceptional tree protection requirements on single-family lots.

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

This Short subdivision is not a unit subdivision. Thus, this section is not applicable to this short plat proposal.

### **DECISION - SHORT SUBDIVISION**

The proposed short plat is **CONDITIONALLY GRANTED**.

### **CONDITIONS - SHORT SUBDIVISION**

#### **Prior to Recording**

1. Have final recording documents prepared by or under the supervision of a Washington state licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as sideyard easements, fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat, and their distances to the proposed property lines dimensioned.
2. Submit the final recording forms for approval and any necessary fees.
3. Remove existing structure on proposed Parcel "A" by permit.
4. Remove shed at the west property line of proposed Parcel "B".

#### **After Recording and Prior to Issuance of a Building Permit**

5. Attach a copy of the recorded subdivision to all future building permit application plans.
6. Remove portion of eave overhang extending beyond the 18-inches allowed in the required side yard or resolve gutter proximity to new property line.

Signature: (signature on file) Date: November 3, 2005  
Joan S. Carson Land Use Planner II  
Department of Planning and Development  
Land Use Services